

REMARKS

Claims 1, 2, 4-8 and 10-15 are pending. Claims 1-2, 7-8 and 13-15 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Barber (U.S. Patent No. 6,157,917). Claims 4, 5, 10 and 11 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Barber in view of an article entitled “Where Have You Been Yesterday” by Brain Grainger (ICPUG On-Line Journal, Article 8, Vol. 1, No. 3, May 1999; hereinafter referred to as “Grainger”). Applicant respectfully traverses the rejections of claims 1, 2, 4-8 and 10-15.

Rejections Based Upon 35 U.S.C. §102(e)

Independent claims 1, 7, 8, 13 and 14 have been amended to incorporate a limitation previously found in dependent claims 3 and 9. Claims 3 and 9 have been cancelled. Therefore, the rejections of claims 1-2, 7-8 and 11-12 are moot and the §103(a) rejections of claims 3 and 9 are relevant.

Rejections Based Upon 35 U.S.C. §103(a)

With respect to independent claims 1, 7, 8, 13 and 14, neither Barber nor Grainger teach or suggest storing a cookie in one file and a copy of the cookie in a different file, i.e. a private file and a public file. The Office Action states, with respect to claims 3, “Barber does not specifically teach a copy of the unmodifiable cookie is stored in a private cookie file” (O.A., p. 3, Note 8). Grainger is misconstrued to suggest that cookies are saved in two different locations, i.e. a Windows/cookie directory and a Windows/Temporary directory. Grainger states the following:

With WE [Windows Explorer] you will see in that [Temporary] folder or any of its sub-folders a list of various files plus references to the cookies again.

Grainger, p.2, area 7). Clearly, Grainger states that the Temporary directory stores “references to cookies” rather than the cookies themselves. The phrase “references to the cookies again” refers to the index of the cookies stored in the Cookies directory. A reference to a cookie is typically a pointer to a cookie stored in another location, in this case, the Cookies directory. Thus, Grainger does not teach or suggest storing a cookie in one file and a copy of a cookie in another file.

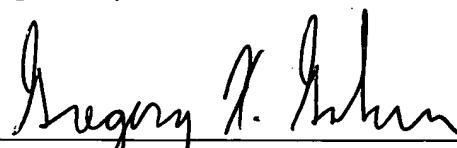
CONCLUSION

In order to reject a claimed invention under §102(e), the cited reference must teach every aspect of the claimed invention either explicitly or impliedly. (M.P.E.P. §706.02). To establish *prima facie* obviousness of a claimed invention under §103(a), all the claim limitations must be taught or suggested by the prior art. (M.P.E.P., §2143,03, citing *in re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974)). In addition, “**All words in a claim must be considered** in judging the patentability of that claim against prior art.” (*Id.*, citing *In re Wilson*, 424 F.2d 1382, 1385; 165 U.S.P.Q. 494, 496 (CCPA 1970); *emphasis added*).

Since, neither Barber nor Grainger, either together or in combination, teach or suggest aspects, described above, of the Applicant’s claimed subject matter, Applicant respectfully requests withdrawal of the §102(e) and §103(a) rejections of claim 1, 7, 8, 13 and 14. In addition to the reasons stated above, claims 2, 4-6, 10-12 and 15 are allowable as being dependent upon allowable base claims and Applicants respectfully request withdrawal of these rejections and allowance of these claims as well. Thus, allowance of all the remaining claims is respectfully submitted.

It is respectfully submitted that all issues and rejections have been adequately addressed and that pending claims 1, 2, 4-8, and 10-15 are allowable and that the case should be advanced to issuance. If the Examiner has any questions or wishes to discuss the claims, the Examiner is encouraged to call the undersigned at the telephone number indicated below.

Respectfully submitted,



By: Gregory K. Goshorn
Reg. No.: 44,721
ATTORNEY FOR APPLICANT

Greg Goshorn, P.C.
2110 W. Slaughter Lane, Suite 115-119
Austin, Texas 78748
Telephone: (512) 291-9203
Facsimile: (512) 291-9275